

The United States Bankruptcy Court  
Northern District of Florida



# GUIDELINES & REQUIREMENTS TO ASSIST THE BANKRUPTCY PROCESS

WILLIAM W. BLEVINS  
CLERK OF COURT

| Clerk's Office Information   |  |
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| <b>Tallahassee Office</b><br>110 East Park Avenue, Suite 100<br>Tallahassee, Florida   | <b>Pensacola Office</b><br>220 West Garden Street, Suite 700<br>Pensacola, Florida |
| Gainesville and Panama City locations are not staffed.   |  |
| <p><b>Mail and Telephone Calls:</b></p> <p>U.S. Bankruptcy Court<br/>110 East Park Avenue, Suite 100<br/>Tallahassee, Florida 32301<br/>(850) 521-5001* or (866) 639-4615*</p> <p><b>Help Desk</b><br/>(888) 765-1752*<br/><a href="mailto:CMECF_helpdesk@uscourts.gov">CMECF_helpdesk@uscourts.gov</a></p> <p><b>Court Website:</b><br/><a href="http://www.flnb.uscourts.gov">www.flnb.uscourts.gov</a></p> <p><i>*Phones are answered 9:00 a.m. - 4:00 p.m., Eastern Time</i></p> |  |
| Office hours are 9:00 a.m. to 4:00 p.m., Monday through Friday.<br>We are closed on all federal holidays.  |  |

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**Topics Covered in this Package:**

- Legal Advice & Resources
- Credit Counseling Requirements & Exhibit D
- Means Test Form Information
- Financial Management Course Requirements
- Filing Fees & Acceptable Forms of Payment
- Appropriate Courtroom Attire & Conduct
- Retaining Your Bankruptcy Records
- Credit Reports

**Lists & Forms Included with this Package:**

- Required Lists, Schedules, Statements & Fees
- Form B201 - Notice to Individual Debtor under §342(b)
- Form B240 - Reaffirmation Agreement
- Debtor(s) Statement of Assistance
- Creditor Mailing Matrix Requirements
- Current List of all Bankruptcy Fees

*The information contained in this package is intended to answer frequently asked questions from debtors not represented by an attorney (pro se debtors) and is not to be interpreted as legal advice or to serve as a complete guide as to what is required to be filed, provided or completed in your case. This information is subject to change without notice.*

**For more information, please visit our website at**  
**[www.flnb.uscourts.gov](http://www.flnb.uscourts.gov)**

**or for general bankruptcy information, the website of the U.S. Courts at**  
**[www.uscourts.gov/bankruptcycourts/prose.html](http://www.uscourts.gov/bankruptcycourts/prose.html)**

## Legal Advice & Resources

Employees of the Clerk's Office, U.S. Bankruptcy Court, are not permitted to assist in preparing your petition, schedules or other documents, nor is it allowable for Clerk's Office personnel to provide you with legal advice. Your local library has law books which may be of assistance to you and the Local Rules for the U.S. Bankruptcy Court, Northern District of Florida are available in the lobby of each Clerk's Office location. The Local Rules, instructions and forms are also available on the Court's [website](#). Some forms are available from the Clerk's office upon request in person. The Clerk's office does not take requests for forms by phone.

### Important Notice Regarding the Credit Counseling Requirement

The 2005 Bankruptcy Act requires all individual debtors who file bankruptcy on or after October 17, 2005, to obtain credit counseling within six months **before** filing for bankruptcy relief. The Act also requires individual debtors to complete an instructional course in financial management **after** filing bankruptcy.

The 2005 Bankruptcy Act requires the Clerk of the Bankruptcy Court to maintain a public list of approved agencies for both credit counseling and debtor education courses. A list of approved agencies is available from the Clerk's Office and on the Court's [website](#).

#### **Before you can file your bankruptcy petition, you must do one of the following:**

- (1) Complete the credit counseling requirement before you file your bankruptcy petition AND submit, Official Form 1, Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement ([Form "Exhibit D"](#)). This form must be filed at the same time as the petition.
  - (a) The certificate provided by the approved agency should be attached to the Exhibit D; or
  - (b) Include an explanation of the exigent circumstances which merit a temporary waiver of the credit counseling requirement in Paragraph 3 of the Exhibit D.
  - (c) If you are filing a "joint petition" with your spouse (you are filing bankruptcy together), each of you must complete an Exhibit D.
- (2) A Motion for Waiver of Debtor's Duty to Comply with the Credit Counseling Requirement under 11 U.S.C. §109(h)(4) ([Local Form 18](#)) due to the fact that you are unable to complete the credit counseling requirement as a result of incapacity or disability, or because you are on active military in a combat zone. You must also submit an affidavit substantiating your request.

If, after review, the court does NOT grant your Motion for Waiver due to the fact that you are unable to comply due to incapacity, disability or active military service in a combat zone, as described in paragraph (2) above, your case may be immediately dismissed.

**If you have not completed the required credit counseling and the exceptions above do not apply to you, then you are ineligible to be a debtor.**

## Official Forms & Petition Preparation

The U.S. Bankruptcy Court Clerk's Office does not supply the forms required for filing bankruptcy. The forms may be purchased from an office supply store or may be downloaded from the court's [website](#). If someone other than an attorney assists you with the preparation of the bankruptcy forms, you must disclose the name of this person (the "preparer") on the petition. If you are not represented by an attorney, you must also provide your daytime phone number on your petition.

This package contains the following:

- **Required Lists, Schedules Statements & Fees:** Use these guidelines for each chapter when filing your bankruptcy papers. Items indicated by an asterisk (\*) **must be filed** to initiate your bankruptcy case. Failure to file all of the required documents within the requisite time could result in the dismissal of your case.
- **Form B201 - Notice to Individual Consumer Debtor under §342(b) of the Bankruptcy Code:** This notice provides important information regarding credit counseling, the chapters available and bankruptcy crimes.
- **Form B240 - Reaffirmation Agreement:** This official form contains the required disclosures, calculations and repayment schedules required under the Bankruptcy Reform Act of 2005 to assist the court's decision-making process on whether or not the reaffirmation should be approved.
- **Debtor(s) Statement of Assistance:** This local form is required from all pro se debtors (debtors not represented by an attorney). Its purpose is to protect the debtor from non-attorneys who charge more than the amount allowed under law to assist in preparing the paperwork to file a bankruptcy case.\*
- **Creditor Mailing Matrix Requirements:** Provides helpful guidelines in preparing your creditor mailing matrix required by the Clerk's Office.
- **Current List of Bankruptcy Fees**

*\*Please note: Corporations and partnerships must be represented by an attorney when filing for bankruptcy.*

## Means Test Forms

The 2005 Bankruptcy Act requires all individual debtors who file bankruptcy on or after October 17, 2005 to complete and submit one of the following with the petition or within 15 days of the filing of the case:

- Chapter 7 Statement of Current Monthly Income and Means Test Calculation ([Form 22A](#))  
*\*Effective 12/08, all chapter 7 debtors, whether business or individual debtors, are required to complete this form.*
- Chapter 11 Statement of Current Monthly Income ([Form 22B](#))
- Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income ([Form 22C](#))

The following National Income and Expense Standards are needed when completing the means test forms. A list of where to locate these items can be obtained from the Clerk's Office or the Court's [website](#).

- Census Bureau Median Family Income
- IRS National Standards for Allowable Living Expenses
- IRS Local Housing & Utilities Expense Standards
- IRS Local Transportation Expenses Standards for South Census Region

## **Important Information Regarding the Financial Management Course Requirement**

Under the Bankruptcy Reform Act of 2005, all individual debtors filing under chapters 7 and 13 must complete a financial management course after filing bankruptcy, but before receiving a discharge. To satisfy the requirement, each debtor must file a Certification of Completion of Post-Petition Instructional Course Concerning Personal Financial Management ([Form 23](#)) and/or the certificate of completion from an approved agency. A list of approved financial management agencies is available from the Clerk's Office and on the Court's [website](#).

If you are filing under chapter 7, you must complete the financial management course and submit the required document(s) within 45 days of the date of the first scheduled meeting of creditors or your case could be closed without a discharge. Chapter 13 debtors are required to complete the financial management course and submit the required document(s) before the completion of the Plan.

## **Protecting Your Social Security Number**

Effective December 1, 2003, individuals filing bankruptcy will place only the last four digits of their Social Security Number on the bankruptcy petition. Individuals filing without an attorney (pro se) are required to submit a completed Statement of Social Security Number ([Form 21](#)), along with the bankruptcy petition. This Statement of Social Security Number(s) is not part of the public record and will not be available to the public. Official Form 21 is available from the Clerk's Office and on the Court's [website](#).

## **Tax Return Required**

Pursuant to 11 U.S.C. 521(e)(2), the debtor shall provide *to the trustee* no later than 7 days before the date first set for the meeting of creditors, a copy of the Federal Income Tax Return (or transcript of return) for the most recent tax year ending before the filing of the bankruptcy case. Do not file tax returns with the Court unless you are requested to do so.

## **§ 341 Meeting of Creditors**

The date, time and location of the Meeting of Creditors (341 Meeting) will be mailed to you after your bankruptcy petition is filed. Please read your notice carefully to determine where and when you are to attend your 341 Meeting. Meetings are held in Pensacola, Gainesville, Panama City and Tallahassee. Failure to attend your 341 Meeting could result in your case being dismissed.

The U.S. Bankruptcy Court Clerk's Office will also notify your creditors of the date, time and location of the 341 Meeting either by mail or electronic transmission.

A form of photo identification is required at the 341 Meeting as well as verification of your social security number. If you do not produce these items, your meeting may have to be rescheduled by the trustee to another date.

## **Appropriate Courtroom Attire & Conduct**

You will be required to present photo identification anytime you enter the court facilities. Anyone present in a courtroom where a trial, hearing or other proceeding is in progress must dress and conduct themselves in a manner demonstrating respect for the court. Traditional business attire is appropriate. Jeans, shorts and t-shirts are not appropriate.

## Filing Fees

**Chapter 7:** \$299.00

**Chapter 11:** \$1039.00

**Chapter 12:** \$239.00

**Chapter 13:** \$274.00

Individual debtors who are unable to pay the full fee at the time of filing may be able to pay the fee by installments, however the payment plan may not exceed three installments:

Chapter 7 - \$149.00 initial installment + three installments of \$50.00

Chapter 12 - \$104.00 initial installment + three installments of \$45.00

Chapter 13 - \$124.00 initial installment + three installments of \$50.00

An Application to Pay Filing Fees in Installments ([Form B3A](#)) **must be filed with the petition** and must be approved by the Court. This form is available from the Clerk's Office and on the Court's website. If your application is not approved, you will be required to pay the full remaining amount or your case will be dismissed. Chapter 11 installment applications must be approved by the judge prior to filing.

If you are an individual filing under Chapter 7 with an income less than 150% of the official poverty line and you are unable to pay your filing fee in full or in installments, you may request a waiver of the filing fee by completing an Application for Waiver of the Chapter 7 Filing Fee for Individuals Who Cannot Pay the Filing Fee in Full or in Installments ([Form B3B](#)), also known as an "*in forma pauperis*" application. This form is available from the Clerk's Office and on the Court's [website](#). This form **must be filed with the petition** and will be reviewed by the Bankruptcy Court judge. If your application is not approved, you will be required to pay the remaining amount in full or in installments. Failure to do so will result in your case being dismissed.

You may obtain information about the poverty guidelines and the *in forma pauperis* application from the Clerk's Office and on the Court's [website](#).

## Acceptable Forms of Payment

The U.S. Bankruptcy Court accepts cash (exact change only), money orders or cashier's checks. Personal checks from the debtor, two-party checks, post-dated checks and credit cards will not be accepted.

## Retaining Your Records

The U.S. Bankruptcy Court Clerk's Office requires the original of all documents submitted for filing. We do not need extra copies. We do advise, however, that you keep copies of your petition, schedules, statements, Order of Discharge, and if applicable, Order of Dismissal for your records. Contact the Clerk's Office for instructions if you wish to obtain copies of other pertinent documents.

If you wish to bring an extra copy of your bankruptcy papers with you when you file bankruptcy, the Clerk's Office will time-stamp your copy and provide you with your case number for your records.

## Credit Rating & Reports

The U.S. Bankruptcy Court is not responsible for credit reports or the information reported by credit bureaus. Bankruptcy records are public records and the information contained in them can be retrieved by anyone. Any disputes you have with a credit agency must be resolved by you and that agency.

UNITED STATES BANKRUPTCY COURT ♦ NORTHERN DISTRICT OF FLORIDA

DOCUMENTS REQUIRED FOR FILING

VOLUNTARY CHAPTER 7 CASE

*(Please file documents in the order listed below)*

- **\*Filing Fee - \$299.00** – If the fee is to be paid in installments or the debtor requests a waiver of the fee, the debtor must be an individual and must file a signed application for court approval. Official Form 3A or 3B and Rule 1006(b) and (c), Fed.R.Bankr.P.
- **\*Voluntary Petition (Official Form 1)** – Required to initiate bankruptcy case
- **Summary of Schedules, including Statistical Summary of Certain Liabilities and Related Data (Official Form 6)** – Must be filed with the petition or within 15 days. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedules of Assets and Liabilities (Official Forms 6A – 6F)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedule of Executory Contracts and Unexpired Leases (Official Form 6G)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedule of Co-Debtors (Official Form 6H)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedules of Current Income and Expenditures (Official Forms 6I & 6J) and Declaration Concerning Schedules (Official Form 6 – Declaration)** – All debtors must file these schedules. Must be filed with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Statement of Financial Affairs (Official Form 7)** – Must be filed with the petition or within 15 days. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Individual Debtor's Statement of Intention (Official Form 8)** – Required only if debtor is an individual and the schedules of assets and liabilities contain debts secured by property of the estate or personal property subject to an unexpired lease. Must be filed within 30 days or by the date set for the Section 341 Meeting of Creditors, **whichever is earlier**. 11 U.S.C. §§ 361(h) and 521(2).
- **Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b) (Official Form B201)**, if applicable – Must be filed with the petition or within 15 days. U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).
- **Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)**, if applicable – Must be filed with the petition if prepared by a “bankruptcy petition preparer.” 11 U.S.C. § 110(h).
- **Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form B280)**, if applicable – Must be filed with the petition if a “bankruptcy petition preparer” prepares the petition. 11 U.S.C. § 110(h)
- **Disclosure of Compensation of Attorney for Debtor (Official Form B203)**, if applicable – Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.
- **Statement of Current Monthly Income and Means Test Calculation (Official Form 22A)** - Must be filed with the petition or within 15 days (as part of the petition or separately). Rule 1007(b) & (c), Fed.R.Bankr.P.
- **\*Names and Addresses of All Creditors of the Debtor (creditor matrix - Local Rule 1007-2)** – a typewritten list must be filed with the petition

*All of the documents listed above may be filed as one document.*

- **\*Statement of Social Security Number (Official Form 21)** – Required if the debtor is an individual. ***Only filed with the court in pro se cases (cases in which the debtor is not represented by an attorney)***. Rule 1007(f), Fed.R.Bankr.P.
- **\*Application for Payment of Filing Fees in Installments (Official Form B3A)**, if applicable - Required if the debtor is an individual who is unable to pay the entire filing fees at the time of filing.
- **\*Application for Waiver of chapter 7 Filing Fee (Official Form B3B), if applicable** - Required if the debtor is an individual who meets the income limitations as stated in 28 U.S.C. 1930(f) and who is unable to pay the filing fee.
- **\*Exhibit D – Individual Debtor’s Statement of Compliance with Credit Counseling Requirement (Official Form 1, Exhibit D) and Certificate of Credit Counseling** - Required if the debtor is an individual. Must be filed with the petition.
- **\*Motion for Waiver of Debtor’s Duty to Comply with Credit Counseling Requirement (Local Form 18)**, if applicable – Required if the debtor is an individual requesting waiver of credit counseling requirements. Must be filed with the petition. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Copies of all payment advices or other evidence or payment received by the debtor within 60 days before the filing of the petition or a Statement of No Employment Income (Local Form 16)** - Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

***\*Items marked with asterisks must be provided with at the time of filing or the case may be dismissed.***

***Please note that the remaining items must be filed within the required time periods after the case is officially filed.***



UNITED STATES BANKRUPTCY COURT ♦NORTHERN DISTRICT OF FLORIDA

DOCUMENTS REQUIRED FOR FILING

VOLUNTARY CHAPTER 11 CASE

*(Please file documents in the order listed below)*

- **\*Filing Fee - \$1039.00** – If the fee is to be paid in installments, the debtor must be an individual and must file a signed application for court approval before the case is filed. Official Form 3A and Rule 1006(b) and (c), Fed. R.Bankr.P.
- **\*Statement of Social Security Number (Official Form 21)** – Required if the debtor is an individual. Must be submitted with the petition for pro se cases. Rule 1007(f), Fed.R.Bankr.P.
- **\*Certificate of Credit Counseling and Debt Repayment Plan (or §109(h)(3) Certification of Exigent Circumstances or §109(h)(4) Request for Exemption [Motion for Waiver of Debtor's Duty to Comply with Credit Counseling Requirement {Local Form 18}])** – Required if the debtor is an individual. Must be filed with the petition. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **\*Names and Addresses of All Creditors of the Debtor (creditor matrix - Local Rule 1007-2)** – a typewritten list must be filed with the petition
- **\*List of Creditors Holding 20 Largest Unsecured Claims (Official Form 4)** – Must be filed with the petition. Rule 1007(d), Fed.R.Bankr.P.
- **\*Corporate Ownership Statement (Local Form)** – Must be filed with the petition if the debtor is a corporation.
- **\*Voluntary Petition (Official Form 1)** – Required to initiate bankruptcy case
- **\*Exhibit D – Individual Debtor's Statement of Compliance with Credit Counseling Requirement (Official Form 1, Exhibit D)** – Required if the debtor is an individual. Must be filed with the petition.
- **Summary of Schedules, including Statistical Summary of Certain Liabilities and Related Data (Official Form 6)** – Must be filed with the petition or within 15 days. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedules of Assets and Liabilities (Official Forms 6A – 6F)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedule of Executory Contracts and Unexpired Leases (Official Form 6G)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedule of Co-Debtors (Official Form 6H)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedules of Current Income and Expenditures (Official Forms 6I & 6J) and Declaration Concerning Schedules (Official Form 6 – Declaration)** – All debtors must file these schedules. Must be filed with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Statement of Financial Affairs (Official Form 7)** – Must be filed with the petition or within 15 days. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Statement of Current Monthly Income (Official Form 22B)** – Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Names and Addresses of Equity Security Holders of the Debtor (no official form)** – Must be filed with the petition or within 15 days unless the court orders otherwise. Rule 1007(a)(3), Fed.R.Bankr.P.

- **Copies of all payment advices or other evidence or payment received by the debtor within 60 days before the filing of the petition or a Statement of No Employment Income (Local Form 16)** - Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.
- **Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b) (Official Form B201)**, if applicable – Must be filed with the petition or within 15 days. U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).
- **Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)**, if applicable – Must be filed with the petition if prepared by a “bankruptcy petition preparer.” 11 U.S.C. § 110(h).
- **Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form B280)**, if applicable – Must be filed with the petition if a “bankruptcy petition preparer” prepares the petition. 11 U.S.C. § 110(h)
- **Disclosure of Compensation of Attorney for Debtor (Official Form B203)**, if applicable – Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.

**NOTICE:** Under 28 U.S.C. § 1930(a) the debtor, or trustee if one is appointed, is required also to pay a fee to the United States Trustee at the conclusion of each calendar quarter until the case is dismissed or converted to another chapter. The amount to be paid is:

\$250 if disbursements total less than \$15,000  
\$500 if disbursements total between \$15,000 and \$75,000  
\$750 if disbursements total between \$75,000 and \$150,000  
\$1250 if disbursements total between \$150,000 and \$225,000  
\$1500 if disbursements total between \$225,000 and \$300,000  
\$3750 if disbursements total between \$300,000 and \$1,000,000  
\$5000 if disbursements total between \$1,000,000 and \$2,000,000  
\$7500 if disbursements total between \$2,000,000 and \$3,000,000  
\$8000 if disbursements total between \$3,000,000 and \$5,000,000  
\$10,000 if disbursements total more than \$5,000,000

***\*Items marked with asterisks must be provided with at the time of filing or the case may be dismissed.***

***Please note that the remaining items must be filed within the  
required time periods after the case is officially filed.***

UNITED STATES BANKRUPTCY COURT ♦NORTHERN DISTRICT OF FLORIDA

DOCUMENTS REQUIRED FOR FILING

VOLUNTARY CHAPTER 12 CASE

*(Please file documents in the order listed below)*

- **\*Filing Fee - \$239.00** – If the fee is to be paid in installments, the debtor must be an individual and must file a signed application for court approval. Official Form 3A and Rule 1006(b) and (c), Fed. R.Bankr.P.
- **\*Voluntary Petition (Official Form 1)** – Required to initiate bankruptcy case
- **Summary of Schedules, including Statistical Summary of Certain Liabilities and Related Data (Official Form 6)** – Must be filed with the petition or within 15 days. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedules of Assets and Liabilities (Official Forms 6A – 6F)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedule of Executory Contracts and Unexpired Leases (Official Form 6G)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedule of Co-Debtors (Official Form 6H)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedules of Current Income and Expenditures (Official Forms 6I & 6J) and Declaration Concerning Schedules (Official Form 6 – Declaration)** – All debtors must file these schedules. Must be filed with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Statement of Financial Affairs (Official Form 7)** – Must be filed with the petition or within 15 days. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b) (Official Form B201)**, if applicable – Must be filed with the petition or within 15 days. U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).
- **Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)**, if applicable – Must be filed with the petition if prepared by a “bankruptcy petition preparer.” 11 U.S.C. § 110(h).
- **Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form B280)**, if applicable – Must be filed with the petition if a “bankruptcy petition preparer” prepares the petition. 11 U.S.C. § 110(h)
- **Disclosure of Compensation of Attorney for Debtor (Official Form B203)**, if applicable – Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.
- **\*Names and Addresses of All Creditors of the Debtor (creditor matrix - Local Rule 1007-2)** - a typewritten list must be filed with the petition

***All of the documents listed above may be filed as one document.***

- **\*Statement of Social Security Number (Official Form 21)** – Required if the debtor is an individual. ***Only filed with the court in pro se cases (cases in which the debtor is not represented by an attorney)***. Rule 1007(f), Fed.R.Bankr.P.
- **\*Application for Payment of Filing Fees in Installments (Official Form B3A)** - Required if the debtor is an individual who is unable to pay the entire filing fees at the time of filing.
- **\*Exhibit D – Individual Debtor’s Statement of Compliance with Credit Counseling Requirement (Official Form 1, Exhibit D) and Certificate of Credit Counseling and Debt Repayment Plan** - Required if the debtor is an individual. Must be filed with the petition.

- **\*Motion for Waiver of Debtor's Duty to Comply with Credit Counseling Requirement (Local Form 18)**, if applicable – Required if the debtor is an individual requesting waiver of credit counseling requirements. Must be filed with the petition. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Copies of all payment advices or other evidence or payment received by the debtor within 60 days before the filing of the petition or a Statement of No Employment Income (Local Form 16)** - Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.
- **Chapter 12 Plan** – Must be filed within 90 days. 11 U.S.C. § 1221

***\*Items marked with asterisks must be provided with at the time of filing or the case may be dismissed.***

***Please note that the remaining items must be filed within the required time periods after the case is officially filed.***

UNITED STATES BANKRUPTCY COURT ♦NORTHERN DISTRICT OF FLORIDA

DOCUMENTS REQUIRED FOR FILING

VOLUNTARY CHAPTER 13 CASE

*(Please file documents in the order listed below)*

- **\*Filing Fee - \$274.00** – If the fee is to be paid in installments or the debtor requests a waiver of the fee, the debtor must be an individual and must file a signed application for court approval. Official Form 3A or 3B and Rule 1006(b) and (c), Fed. R.Bankr.P.
- **\*Voluntary Petition (Official Form 1)** – Required to initiate bankruptcy case
- **Summary of Schedules, including Statistical Summary of Certain Liabilities and Related Data (Official Form 6)** – Must be filed with the petition or within 15 days. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedules of Assets and Liabilities (Official Forms 6A – 6F)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedule of Executory Contracts and Unexpired Leases (Official Form 6G)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedule of Co-Debtors (Official Form 6H)** – Must be filed with the petition or within 15 days, Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Schedules of Current Income and Expenditures (Official Forms 6I & 6J) and Declaration Concerning Schedules (Official Form 6 – Declaration)** – All debtors must file these schedules. Must be filed with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Statement of Financial Affairs (Official Form 7)** – Must be filed with the petition or within 15 days. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b) (Official Form B201)**, if applicable – Must be filed with the petition or within 15 days. U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3).
- **Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)**, if applicable – Must be filed with the petition if prepared by a “bankruptcy petition preparer.” 11 U.S.C. § 110(h).
- **Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form B280)**, if applicable – Must be filed with the petition if a “bankruptcy petition preparer” prepares the petition. 11 U.S.C. § 110(h)
- **Disclosure of Compensation of Attorney for Debtor (Official Form B203)**, if applicable – Must be filed within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.
- **Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Official Form 22C)**- Must be filed with the petition (as part of the petition or separately) or within 15 days. Rule 1007, Fed.R.Bankr.P.
- **\*Names and Addresses of All Creditors of the Debtor (creditor matrix - Local Rule 1007-2)** – a typewritten list must be filed with the petition

***All of the documents listed above may be filed as one document.***

- **\*Statement of Social Security Number (Official Form 21)** – Required if the debtor is an individual. ***Only filed with the court in pro se cases (cases in which the debtor is not represented by an attorney).*** Rule 1007(f), Fed.R.Bankr.P.

- **\*Application for Payment of Filing Fees in Installments (Official Form B3A)** - Required if the debtor is an individual who is unable to pay the entire filing fees at the time of filing.
- **\*Exhibit D – Individual Debtor’s Statement of Compliance with Credit Counseling Requirement (Official Form 1, Exhibit D) and Certificate of Credit Counseling and Debt Repayment Plan** - Required if the debtor is an individual. Must be filed with the petition.
- **\*Motion for Waiver of Debtor’s Duty to Comply with Credit Counseling Requirement (Local Form 18)**, if applicable – Required if the debtor is an individual requesting waiver of credit counseling requirements. Must be filed with the petition. Rule 1007(b) and (c), Fed.R.Bankr.P.
- **Copies of all payment advices or other evidence or payment received by the debtor within 60 days before the filing of the petition or a Statement of No Employment Income (Local Form 16)** - Required if the debtor is an individual. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.
- **Chapter 13 Plan (Local Form 21)** – Must be filed with the petition or within 15 days. Rule 3015, Fed.R.Bankr.P.

***\*Items marked with asterisks must be provided with at the time of filing or the case may be dismissed.***

***Please note that the remaining items must be filed within the required time periods after the case is officially filed.***

UNITED STATES BANKRUPTCY COURT

**NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a “means test” designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

**Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

**Certificate of [Non-Attorney] Bankruptcy Petition Preparer**

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

\_\_\_\_\_  
Printed name and title, if any, of Bankruptcy Petition Preparer  
Address:

X \_\_\_\_\_

Signature of Bankruptcy Petition Preparer or officer,  
principal, responsible person, or partner whose Social  
Security number is provided above.

\_\_\_\_\_  
Social Security number (If the bankruptcy petition  
preparer is not an individual, state the Social Security  
number of the officer, principal, responsible person, or  
partner of the bankruptcy petition preparer.) (Required  
by 11 U.S.C. § 110.)

**Certificate of the Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

\_\_\_\_\_  
Printed Name(s) of Debtor(s)

Case No. (if known) \_\_\_\_\_

X \_\_\_\_\_  
Signature of Debtor Date

X \_\_\_\_\_  
Signature of Joint Debtor (if any) Date



☐ **Presumption of Undue Hardship**  
☐ **No Presumption of Undue Hardship**  
(Check box as directed in Part D: Debtor's Statement  
in Support of Reaffirmation Agreement.)

**UNITED STATES BANKRUPTCY COURT**

District of

In re \_\_\_\_\_,  
Debtor

Case No. \_\_\_\_\_  
Chapter \_\_\_\_\_

**REAFFIRMATION AGREEMENT**

*[Indicate all documents included in this filing by checking each applicable box.]*

- |   |  |
|---|--|
| <input type="checkbox"/> Part A: Disclosures, Instructions, and<br>Notice to Debtor (pages 1 - 5) | <input type="checkbox"/> Part D: Debtor's Statement in<br>Support of Reaffirmation Agreement |
| <input type="checkbox"/> Part B: Reaffirmation Agreement  | <input type="checkbox"/> Part E: Motion for Court Approval                                   |
| <input type="checkbox"/> Part C: Certification by Debtor's Attorney                               |  |

*[Note: Complete Part E only if debtor was not represented by an attorney during  
the course of negotiating this agreement. **Note also:** If you complete Part E, you must  
prepare and file Form 240B - Order on Reaffirmation Agreement.]*

**Name of Creditor:** \_\_\_\_\_

- ☐ *[Check this box if]* Creditor is a Credit Union as defined in §19(b)(1)(a)(iv) of the  
Federal Reserve Act

**PART A: DISCLOSURE STATEMENT, INSTRUCTIONS AND NOTICE TO DEBTOR**

**1. DISCLOSURE STATEMENT**

***Before Agreeing to Reaffirm a Debt, Review These Important Disclosures:***

**SUMMARY OF REAFFIRMATION AGREEMENT**

This Summary is made pursuant to the requirements of the Bankruptcy Code.

**AMOUNT REAFFIRMED**

The amount of debt you have agreed to reaffirm: \$ \_\_\_\_\_

***The amount of debt you have agreed to reaffirm includes all fees and costs (if any) that have  
accrued as of the date of this disclosure. Your credit agreement may obligate you to pay additional  
amounts which may come due after the date of this disclosure. Consult your credit agreement.***

**Form 240A - Reaffirmation Agreement (Cont.)**  
**ANNUAL PERCENTAGE RATE**

**2**

*[The annual percentage rate can be disclosed in different ways, depending on the type of debt.]*

a. If the debt is an extension of “credit” under an “open end credit plan,” as those terms are defined in § 103 of the Truth in Lending Act, such as a credit card, the creditor may disclose the annual percentage rate shown in (i) below or, to the extent this rate is not readily available or not applicable, the simple interest rate shown in (ii) below, or both.

(i) The Annual Percentage Rate disclosed, or that would have been disclosed, to the debtor in the most recent periodic statement prior to entering into the reaffirmation agreement described in Part B below or, if no such periodic statement was given to the debtor during the prior six months, the annual percentage rate as it would have been so disclosed at the time of the disclosure statement: \_\_\_\_%.

--- And/Or ---

(ii) The simple interest rate applicable to the amount reaffirmed as of the date this disclosure statement is given to the debtor: \_\_\_\_%. If different simple interest rates apply to different balances included in the amount reaffirmed, the amount of each balance and the rate applicable to it are:

\$ \_\_\_\_ @ \_\_\_\_%;  
\$ \_\_\_\_ @ \_\_\_\_%;  
\$ \_\_\_\_ @ \_\_\_\_%.

b. If the debt is an extension of credit other than under than an open end credit plan, the creditor may disclose the annual percentage rate shown in (I) below, or, to the extent this rate is not readily available or not applicable, the simple interest rate shown in (ii) below, or both.

(i) The Annual Percentage Rate under §128(a)(4) of the Truth in Lending Act, as disclosed to the debtor in the most recent disclosure statement given to the debtor prior to entering into the reaffirmation agreement with respect to the debt or, if no such disclosure statement was given to the debtor, the annual percentage rate as it would have been so disclosed: \_\_\_\_%.

--- And/Or ---

(ii) The simple interest rate applicable to the amount reaffirmed as of the date this disclosure statement is given to the debtor: \_\_\_\_%. If different simple interest rates apply to different balances included in the amount reaffirmed,

the amount of each balance and the rate applicable to it are:

\$ \_\_\_\_\_ @ \_\_\_\_\_ %;

\$ \_\_\_\_\_ @ \_\_\_\_\_ %;

\$ \_\_\_\_\_ @ \_\_\_\_\_ %.

c. If the underlying debt transaction was disclosed as a variable rate transaction on the most recent disclosure given under the Truth in Lending Act:

The interest rate on your loan may be a variable interest rate which changes from time to time, so that the annual percentage rate disclosed here may be higher or lower.

d. If the reaffirmed debt is secured by a security interest or lien, which has not been waived or determined to be void by a final order of the court, the following items or types of items of the debtor's goods or property remain subject to such security interest or lien in connection with the debt or debts being reaffirmed in the reaffirmation agreement described in Part B.

Item or Type of Item

Original Purchase Price or Original Amount of Loan

*Optional---At the election of the creditor, a repayment schedule using one or a combination of the following may be provided:*

**Repayment Schedule:**

Your first payment in the amount of \$ \_\_\_\_\_ is due on \_\_\_\_\_ (date), but the future payment amount may be different. Consult your reaffirmation agreement or credit agreement, as applicable.

— Or —

Your payment schedule will be: \_\_\_\_\_ (number) payments in the amount of \$ \_\_\_\_\_ each, payable (monthly, annually, weekly, etc.) on the \_\_\_\_\_ (day) of each \_\_\_\_\_ ( week, month, etc.), unless altered later by mutual agreement in writing.

— Or —

A reasonably specific description of the debtor's repayment obligations to the extent known by the creditor or creditor's representative.

## 2. INSTRUCTIONS AND NOTICE TO DEBTOR

**Reaffirming a debt is a serious financial decision.** The law requires you to take certain steps to make sure the decision is in your best interest. If these steps are not completed, the reaffirmation agreement is not effective, even though you have signed it.

1. Read the disclosures in this Part A carefully. Consider the decision to reaffirm carefully. Then, if you want to reaffirm, sign the reaffirmation agreement in Part B (or you may use a separate agreement you and your creditor agree on).

2. Complete and sign Part D and be sure you can afford to make the payments you are agreeing to make and have received a copy of the disclosure statement and a completed and signed reaffirmation agreement.

3. If you were represented by an attorney during the negotiation of your reaffirmation agreement, the attorney must have signed the certification in Part C.

4. If you were not represented by an attorney during the negotiation of your reaffirmation agreement, you must have completed and signed Part E.

5. The original of this disclosure must be filed with the court by you or your creditor. If a separate reaffirmation agreement (other than the one in Part B) has been signed, it must be attached.

6. If the creditor is not a Credit Union and you were represented by an attorney during the negotiation of your reaffirmation agreement, your reaffirmation agreement becomes effective upon filing with the court unless the reaffirmation is presumed to be an undue hardship as explained in Part D. If the creditor is a Credit Union and you were represented by an attorney during the negotiation of your reaffirmation agreement, your reaffirmation agreement becomes effective upon filing with the court.

7. If you were not represented by an attorney during the negotiation of your reaffirmation agreement, it will not be effective unless the court approves it. The court will notify you and the creditor of the hearing on your reaffirmation agreement. You must attend this hearing in bankruptcy court where the judge will review your reaffirmation agreement. The bankruptcy court must approve your reaffirmation agreement as consistent with your best interests, except that no court approval is required if your reaffirmation agreement is for a consumer debt secured by a mortgage, deed of trust, security deed, or other lien on your real property, like your home.

**YOUR RIGHT TO RESCIND (CANCEL) YOUR REAFFIRMATION AGREEMENT**

You may rescind (cancel) your reaffirmation agreement at any time before the bankruptcy court enters a discharge order, or before the expiration of the 60-day period that begins on the date your reaffirmation agreement is filed with the court, whichever occurs later. To rescind (cancel) your reaffirmation agreement, you must notify the creditor that your reaffirmation agreement is rescinded (or canceled).

**Frequently Asked Questions:**

What are your obligations if you reaffirm the debt? A reaffirmed debt remains your personal legal obligation. It is not discharged in your bankruptcy case. That means that if you default on your reaffirmed debt after your bankruptcy case is over, your creditor may be able to take your property or your wages. Otherwise, your obligations will be determined by the reaffirmation agreement which may have changed the terms of the original agreement. For example, if you are reaffirming an open end credit agreement, the creditor may be permitted by that agreement or applicable law to change the terms of that agreement in the future under certain conditions.

Are you required to enter into a reaffirmation agreement by any law? No, you are not required to reaffirm a debt by any law. Only agree to reaffirm a debt if it is in your best interest. Be sure you can afford the payments you agree to make.

What if your creditor has a security interest or lien? Your bankruptcy discharge does not eliminate any lien on your property. A “lien” is often referred to as a security interest, deed of trust, mortgage or security deed. Even if you do not reaffirm and your personal liability on the debt is discharged, because of the lien your creditor may still have the right to take the security property if you do not pay the debt or default on it. If the lien is on an item of personal property that is exempt under your State’s law or that the trustee has abandoned, you may be able to redeem the item rather than reaffirm the debt. To redeem, you make a single payment to the creditor equal to the current value of the security property, as agreed by the parties or determined by the court.

**NOTE:** When this disclosure refers to what a creditor “may” do, it does not use the word “may” to give the creditor specific permission. The word “may” is used to tell you what might occur if the law permits the creditor to take the action. If you have questions about your reaffirming a debt or what the law requires, consult with the attorney who helped you negotiate this agreement reaffirming a debt. If you don’t have an attorney helping you, the judge will explain the effect of your reaffirming a debt when the hearing on the reaffirmation agreement is held.

**PART B: REAFFIRMATION AGREEMENT.**

I (we) agree to reaffirm the debts arising under the credit agreement described below.

1. Brief description of credit agreement:

2. Description of any changes to the credit agreement made as part of this reaffirmation agreement:

SIGNATURE(S):

Borrower:

Accepted by creditor:

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Printed Name of Creditor)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Address of Creditor)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

Co-borrower, if also reaffirming these debts:

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Printed Name and Title of Individual  
Signing for Creditor)

\_\_\_\_\_  
(Signature)

Date of creditor acceptance:

Date: \_\_\_\_\_

\_\_\_\_\_

**PART C: CERTIFICATION BY DEBTOR'S ATTORNEY (IF ANY).**

*[To be filed only if the attorney represented the debtor during the course of negotiating this agreement.]*

I hereby certify that (1) this agreement represents a fully informed and voluntary agreement by the debtor; (2) this agreement does not impose an undue hardship on the debtor or any dependent of the debtor; and (3) I have fully advised the debtor of the legal effect and consequences of this agreement and any default under this agreement.

☐ *[Check box, if applicable and the creditor is not a Credit Union.]* A presumption of undue hardship has been established with respect to this agreement. In my opinion, however, the debtor is able to make the required payment.

Printed Name of Debtor's Attorney: \_\_\_\_\_

Signature of Debtor's Attorney: \_\_\_\_\_

Date: \_\_\_\_\_

**PART D: DEBTOR'S STATEMENT IN SUPPORT OF REAFFIRMATION AGREEMENT**

*[Read and complete sections 1 and 2, **OR**, if the creditor is a Credit Union and the debtor is represented by an attorney, read section 3. Sign the appropriate signature line(s) and date your signature. If you complete sections 1 and 2 **and** your income less monthly expenses does not leave enough to make the payments under this reaffirmation agreement, check the box at the top of page 1 indicating "Presumption of Undue Hardship." Otherwise, check the box at the top of page 1 indicating "No Presumption of Undue Hardship"]*

1. I believe this reaffirmation agreement will not impose an undue hardship on my dependents or me. I can afford to make the payments on the reaffirmed debt because my monthly income (take home pay plus any other income received) is \$\_\_\_\_\_, and my actual current monthly expenses including monthly payments on post-bankruptcy debt and other reaffirmation agreements total \$\_\_\_\_\_, leaving \$\_\_\_\_\_ to make the required payments on this reaffirmed debt.

I understand that if my income less my monthly expenses does not leave enough to make the payments, this reaffirmation agreement is presumed to be an undue hardship on me and must be reviewed by the court. However, this presumption may be overcome if I explain to the satisfaction of the court how I can afford to make the payments here: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
**(Use an additional page if needed for a full explanation.)**

2. I received a copy of the Reaffirmation Disclosure Statement in Part A and a completed and signed reaffirmation agreement.

Signed: \_\_\_\_\_  
(Debtor)

\_\_\_\_\_  
(Joint Debtor, if any)

Date: \_\_\_\_\_

— Or —

*[If the creditor is a Credit Union and the debtor is represented by an attorney]*

3. I believe this reaffirmation agreement is in my financial interest. I can afford to make the payments on the reaffirmed debt. I received a copy of the Reaffirmation Disclosure Statement in Part A and a completed and signed reaffirmation agreement.

Signed: \_\_\_\_\_  
(Debtor)

\_\_\_\_\_  
(Joint Debtor, if any)

Date: \_\_\_\_\_



**PART E: MOTION FOR COURT APPROVAL**

*[To be completed and filed only if the debtor is not represented by an attorney during the course of negotiating this agreement.]*

**MOTION FOR COURT APPROVAL OF REAFFIRMATION AGREEMENT**

I (we), the debtor(s), affirm the following to be true and correct:

I am not represented by an attorney in connection with this reaffirmation agreement.

I believe this reaffirmation agreement is in my best interest based on the income and expenses I have disclosed in my Statement in Support of this reaffirmation agreement, and because (provide any additional relevant reasons the court should consider):

Therefore, I ask the court for an order approving this reaffirmation agreement under the following provisions (*check all applicable boxes*):

☐ 11 U.S.C. § 524(c)(6) (debtor is not represented by an attorney during the course of the negotiation of the reaffirmation agreement)

☐ 11 U.S.C. § 524(m) (presumption of undue hardship has arisen because monthly expenses exceed monthly income)

Signed: \_\_\_\_\_

(Debtor)

\_\_\_\_\_

(Joint Debtor, if any)

Date: \_\_\_\_\_

(10/05)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF FLORIDA  
\_\_\_\_\_ DIVISION

IN RE:

\_\_\_\_\_, CASE NO. \_\_\_\_\_  
Debtor(s). CHAPTER \_\_\_\_\_

---

**DEBTOR(S) STATEMENT OF ASSISTANCE RECEIVED  
IN CONNECTION WITH THE FILING OF THIS CASE**

\_\_\_\_\_ I DID NOT RECEIVE ANY ASSISTANCE IN PREPARING THIS CASE FOR FILING.

\_\_\_\_\_ I DID RECEIVE ASSISTANCE IN PREPARING THIS CASE FOR FILING.  
(If you did receive assistance, please complete items 1 - 4 below.)

1. The person or firm that assisted is:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone (\_\_\_\_\_) \_\_\_\_\_

2. I paid the sum of \$ \_\_\_\_\_.

3. I still owe the sum of \$ \_\_\_\_\_.

4. I agreed to turn over or give a security interest in the following property:

\_\_\_\_\_  
\_\_\_\_\_

I (we) \_\_\_\_\_, the Debtor(s), do hereby declare under penalty of perjury, that the statements made above are true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_, Florida.  
(Day) (Month) (Year) (City)

\_\_\_\_\_  
Signature of Debtor

\_\_\_\_\_  
Signature of Joint Debtor, if any

## Creditor Matrix Guidelines

A creditor matrix is a list containing each creditor's name and mailing address. This information is used for noticing and for claims information, when applicable.

Although the Court uses sophisticated equipment and software to ensure accuracy in creditor matrix readings, certain problems can still occur. Following these guidelines will reduce the likelihood of errors and avoid delay in mailing notices.

### Creditor Matrices on Paper:

- Names and addresses must be typed in a standard typeface or print style (no italics or cursive style print).
- Matrix must be typed in a single column down the page.
- Addresses must not exceed five (5) lines.
- Each line must contain no more than 40 characters, including blanks.
- Names and addresses should be **left justified**. Do not center.
- Do not place spaces at the beginning of a line.
- Do not use special characters such as ½, ~ or ^ as our scanners cannot recognize these characters. The # and & signs are acceptable.
- Do not include account numbers on the creditor matrix.
- "Attention" lines should be placed on the second line of the name/address.
- City, state and ZIP code must be on the last line.
- Nine-digit ZIP codes must have a hyphen separating the two groups of digits.
- States must be indicated using two-letter abbreviations.
- Separate creditors by at least one blank line.
- Do not include page numbers, headers or footers.
- Use a minimum of ½ inch margins.
- DO NOT include the Debtor, Joint Debtor, or Attorney for the Debtor(s) on the creditor matrix. They will be added automatically by our computer system.

### Creditor Matrices on Diskette or CD:

- Use the same format above for creating the matrix.
- Save the file in text format (.txt) using the debtor's last name (e.g., Smith.txt)
- Submit on a 3.5" floppy diskette or on a CD.

**NOTE:** If your diskette or CD is unreadable by the Court, it will be returned to you and a deficiency notice will be issued.

## Things to Avoid

- X** Extra marks on the list such as letterhead, dates, coffee or soda stains and handwritten marks
- X** Non-standard paper such as onion skin, half- or legal-sized, or colored papers
- X** Poor quality type caused by carbon or photocopies, using an exhausted typewriter or a typewriter with a fabric ribbon
- X** Unreadable type face or print styles such as proportionally-spaced fonts, dot-matrix print, or non-standard fonts (e.g., Old English or Script). Courier 10 works best.
- X** Do not use upper case only (all capital letters). Type in upper and lower case letters.
- X** Only use ONE space (no tabs) between the city, state and ZIP

## Example Creditor Matrix (using Courier font):

### INCORRECT FORM:

Internal Revenue Service -  
Insolvency ME-128  
301 W. Wisconsin Ave.  
Milwaukee, WI 532022221

First National Bank  
Account # xxx-xxx-789  
P.O. Box 3391  
Beaumont, TX 77704

Flex Northwest  
Seattle, Washington  
98372

General Welding Supply  
Attn: Accounting  
P.O. Box 3657  
Baltimore, MD 20984

Peterboro Food & Beverage  
1300 Exchange Bldg.  
Suite 700  
401 South Adams Street  
P.O. Box 55672  
Buffalo, NY 20009

### CORRECT FORM:

Internal Revenue Service  
Insolvency ME-128  
310 W. Wisconsin Ave.  
Milwaukee, WI 53202-2221

First National Bank  
P.O. Box 3391  
Beaumont, TX 77704

Flex Northwest  
Seattle, WA 98372

General Welding Supply  
Attn: Accounting  
P.O. Box 3657  
Baltimore, MD 20984

Peterboro Food & Beverage  
1300 Exchange Bldg., Ste. 700  
401 South Adams Street  
P.O. Box 55672  
Buffalo, NY 20009

**United States Bankruptcy Court**  
**Northern District of Florida**  
**Fees effective October 1, 2008**

| <b>Documents and Miscellaneous Fees</b>  | <b>Fee</b>   |
|--|--|
| <b>Chapter 7:</b> Petition<br>Installment - Suggested minimum initial payment<br>3 monthly installment payments<br>Involuntary Chapter 7<br>Motion to Reopen<br>Joint Case/Split<br>Motion/Conversion to Chapter 11<br>Motion/Conversion to Chapter 12 or Chapter 13 | <b>\$299.00</b><br>\$149.00<br>\$50.00/month<br>\$299.00<br>\$260.00<br>\$299.00<br>\$755.00<br>No fee |
| <b>Chapter 9:</b> Petition<br>Motion to Reopen<br>Motion/Conversion to Chapter 7   | <b>\$1,039.00</b><br>\$1,000.00<br>\$15.00   |
| <b>Chapter 11:</b> Petition (Non-Railroad or Railroad)<br>Installment - (Judge approval needed)<br>Involuntary Chapter 11<br>Motion to Reopen<br>Joint Case/Split<br>Motion/Conversion to Chapter 7<br>Motion/Conversion to Chapter 12 or Chapter 13                 | <b>\$1,039.00</b><br>No minimum<br>\$1,039.00<br>\$1,000.00<br>\$1,039.00<br>\$15.00<br>No fee         |
| <b>Chapter 12:</b> Petition<br>Installment - Suggested minimum initial payment<br>3 monthly installment payments<br>Motion to Reopen<br>Joint Case/Split<br>Motion/Conversion to Chapter 7<br>Motion/Conversion to Chapter 11<br>Motion/Conversion to Chapter 13     | <b>\$239.00</b><br>\$104.00<br>\$45.00/month<br>\$200.00<br>\$239.00<br>\$60.00<br>\$800.00<br>\$35.00 |
| <b>Chapter 13:</b> Petition<br>Installment - Suggested minimum initial payment<br>3 monthly installment payments<br>Motion to Reopen<br>Joint Case/Split<br>Motion/Conversion to Chapter 7<br>Motion/Conversion to Chapter 11<br>Motion/Conversion to Chapter 12     | <b>\$274.00</b><br>\$124.00<br>\$50.00/month<br>\$235.00<br>\$274.00<br>\$25.00<br>\$765.00<br>No fee  |

|   |                                 |
|---|---------------------------------|
| <b>Chapter 15:</b> Petition<br>Motion to Reopen   | <b>\$1,039.00</b><br>\$1,000.00 |
| Adversary Proceeding (No fee if debtor - ch. 7 or 13 - is plaintiff)  | \$250.00                        |
| Amending Schedules of Creditors, Lists of Creditors, Matrix or Mailing List (Includes adding or deleting creditors, changing the amount of a debt or classification of a debt.) (No fee is required to change the address of a previously listed creditor or to add the name and address of a previously listed creditor's attorney; No fee is due when a debtor files a schedule of post-petition debts after converting from Ch. 13 to Ch. 7) | \$26.00                         |
| Appeal or Cross Appeal to District Court (docket \$250 and notice fee \$5)  | \$255.00                        |
| Archives retrieval  | \$45.00                         |
| Copies (per page)   | \$ .50                          |
| Copies printed at public terminal in clerk's office (per page)  | \$ .10                          |
| Certification of document   | \$9.00                          |
| Direct Appeal or Direct Cross Appeal to Court of Appeals (after payment of \$255 for Appeal)  | \$200.00                        |
| Exemplification of document   | \$18.00                         |
| Filing or indexing miscellaneous document   | \$39.00                         |
| Reproduction of recordings of proceedings   | \$26.00                         |
| Return check for lack of funds  | \$45.00                         |
| Search of records (per name or item searched)   | \$26.00                         |
| Motion to terminate, annul, modify or condition <b>stay</b> ; motion to compel <b>abandonment</b> of property, or a motion to <b>withdraw reference</b> (No fee is required if motion is consented or codebtor stay §1301; No fee is required if motion is for adequate protection and there is no mention in the prayer seeking relief from stay)  | \$150.00                        |
| Registering a <b>judgment</b> from another district   | \$39.00                         |
| Writ of Garnishment ( <i>Florida Statute 77.28</i> )  | \$100.00                        |



**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF FLORIDA**

**NOTICE TO ALL DEBTORS**  
**READ THIS BEFORE YOU FILE YOUR CASE**

**Did you (and your spouse, if filing a joint petition) complete the required United States Trustee approved pre-bankruptcy filing credit counseling course?**

If you have not completed this counseling **before you file your petition** and you do not meet the requirements for an extension to complete the counseling after filing, your case may be dismissed and you will not receive a discharge of your debts. In some cases, you will not be allowed to file another bankruptcy case for 180 days. If you file another case within one (1) year after your first case was dismissed, protection from your creditors under the Bankruptcy Code may be limited to thirty (30) days after filing the new case.

Under the bankruptcy laws, the Court can only allow you to complete the course *after* filing if you meet all of the following conditions [See 11 U.S.C. § 109(H)(3)].

1. You must have tried to get credit counseling from an approved agency within at least a five (5) day period before filing and the agency could not provide it; AND
2. There are exigent (emergency) circumstances that make it necessary for you to file your case immediately. (Important: The Court will determine what qualifies as an emergency circumstance); AND
3. You must file a certification stating the facts regarding the conditions listed above in 1 and 2 with your petition.

**Please be advised - most debtors will not be able to meet these conditions because credit counseling is readily available in this District.** The decision to file your petition is yours, but if you file without taking the course, you are risking dismissal of your case. The Clerk cannot provide legal advice or predict in advance how a judge will decide your request for an extension to complete this requirement.

To complete this requirement before filing, obtain from the Court's Office a list of United States Trustee approved pre-bankruptcy credit counseling agencies or go to their website at <http://www.usdoj.gov/ust/eo/bapcpa/ccde/index.htm>.

Many courses are available by telephone or on the internet. If you don't have a computer, your public library may allow you to use a computer to complete the course.

***Note:*** *There are exemptions from this requirement available for persons who are mentally ill, disabled or serving military duty in an active combat zone [See 11 U.S.C. § 109 (h)(4)].*